

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GUSTAVO BERMUDEZ,

PLAINTIFF,

07 CIV. 9537 (HB)

VS.

**CITY OF NEW YORK POLICE
DEPARTMENT AND THE UNITED
STATES DRUG ENFORCEMENT
ADMINISTRATION,**

DEFENDANTS.

X-----X

AFFIDAVIT OF JOSE O. CASTANEDA

I, Jose O. Castaneda, having been duly sworn, depose and state:

1. I am over the age of 18 years and understand the obligations of an oath.

2. On October 25, 2006 I began an investigation into the whereabouts of certain funds that were believed to have been seized by officers of the City of New York Police Department, Bronx 50th Precinct.

3. On October 25, 2006 I contacted the City of New York Police Department, Bronx 50th Precinct in order to speak with a Sgt. Crawley, the officer who filed a Property Clerk's Invoice with regard to the seized funds.

4. I was informed that Sgt. Crawley had not been a member of the 50th Precinct for the last 2 years.

5. When I explained that he had filed an invoice dated July 18, 2006 listing the 50th Precinct, I was instructed to contact 1 Police Plaza for further information.

6. On October 25, 2006 I contacted the City of New York Police Department 1 Police Plaza and was informed that Sgt. Crawley is in a special unit and that his contact information could not be supplied.

7. I was informed that Sgt. Crawley would be requested to contact me. I then left my contact information.

8. On October 25, 2006 I again called the City of New York Police Department, Bronx 50th Precinct and spoke with the attending officer in the property unit.

9. The attending officer explained to me that in order for him to locate the New York Police Department file he required an invoice number located at the bottom on the invoice.

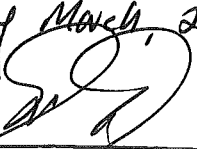
10. The invoice supplied to me did not have an invoice number on it and as a result the Property Unit was unable to locate any information regarding the seized funds.

THE AFFIANT



Jose O. Castaneda

Sworn to me this 24th
day of March, 2008



GEORGE M. GROGLIO
Notary Public, State of New York
No. 4541939
Qualified in Westchester County
Commission Expires September 6, 2010